

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
BLUEFIELD DIVISION**

**JAMES E. GRAHAM II; DENNIS ADKINS;  
ROGER WRISTON; and DAVID B. POLK;  
on behalf of themselves and  
others similarly situated; and  
UNITED MINE WORKERS OF AMERICA  
INTERNATIONAL UNION,**

**Plaintiffs,**

**v.**

**CIVIL ACTION NO. 1:19-cv-00597**

**JUSTICE ENERGY CO. INC.;  
KEYSTONE SERVICE INDUSTRIES, INC.;  
BLUESTONE COAL CORPORATION;  
DOUBLE-BONUS COAL CO.; and  
SOUTHERN COAL CORPORATION,**

**Defendants.**

**NOTICE OF WITHDRAWAL AND SUBSTITUTION OF COUNSEL**

Defendants, Justice Energy Co., Inc., Keystone Service Industries, Inc., Bluestone Coal Corporation, Double-Bonus Coal Co., and Southern Coal Corporation, pursuant to Local Rule 83.4, hereby advise the Court and counsel that Christopher D. Pence, James P. McHugh, and the law firm of Hardy Pence, PLLC will withdraw as counsel and Bluestone Industries, Inc.'s in-house attorney, Chris Schroeck, will be substituted as counsel in this matter. His contact information is as follows:

Chris Schroeck (WVSB 13686)  
Bluestone Resources, Inc.  
302 S. Jefferson St.  
Roanoke, VA 24011  
Telephone: 540-492-4080, x211  
Cellular: 540-986-5354  
[chris.schroeck@bluestone-coal.com](mailto:chris.schroeck@bluestone-coal.com)

As required by Local Rule 83.4, the undersigned counsel further certifies as follows:

1. The withdrawal and substitution will not delay the trial or other progress of the case;  
and
2. The notice is filed and served at least 90 days before trial.

BLUESTONE INDUSTRIES, INC.,  
JILLEAN L. JUSTICE, JAMES C.  
JUSTICE, III, and JAMES T. MILLER,

By Counsel:

/s/ Christopher D. Pence  
Christopher D. Pence (WVSB No. 9095)  
Hardy Pence PLLC  
10 Hale Street, 4<sup>th</sup> Floor (25301)  
P.O. Box 2548  
Charleston, WV 25329  
Phone: (304) 345-7250  
Fax: (304) 553-7227

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
BECKLEY DIVISION**

<b>CHRISTOPHER T. COOK,</b>	)	<b>Civil Action No. 5:19-cv-00163</b>
<b>Individually and on behalf of all others</b>	)	
<b>similarly situated,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>JURY DEMAND</b>
	)	
	)	
<b>BLUESTONE INDUSTRIES, INC.,</b>	)	
<b>JILLEAN L. JUSTICE,</b>	)	
<b>JAMES C. JUSTICE, III, and</b>	)	
<b>JAMES T. MILLER</b>	)	

**CERTIFICATE OF SERVICE**

I, Christopher D. Pence, hereby certify that on March 26, 2020, the foregoing *Notice of Withdrawal and Substitution of Counsel* was electronically filed with the Clerk of Court through the CM/ECF system which will send electronic notice of filing to the counsel listed below:

Charles F. Donnelly, Esq. (WVSB No.1039)  
General Counsel  
United Mine Workers of America  
1300 Kanawha Blvd., East  
Charleston, WV 25301

Kevin F. Fagan, Esq. (WVSB No. 5216)  
Timothy J. Baker, Esq. *Pro Hac Vice*  
United Mine Workers of America  
18354 Quantico Gateway Drive, Suite 200  
Triangle, VA 22172  
*Counsel for Plaintiffs*

/s/ Christopher D. Pence